PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Komatsuda et al.

Serial No.: 10/553,723

Filed: February 23, 2006

For: METHODS OF IDENTIFYING SPIKE MORPHOLOGY AND FUSARIUM HEAD BLIGHT RESISTANCE, AND THE USE OF THESE METHODS FOR IMPROVING BARLEY AND RELATED TRITICEAE PLANTS (AS AMENDED)

Confirmation No.: To be assigned

Examiner: To be assigned

Group Art Unit: To be assigned

Attorney Docket No.: 3240-7498US

CERTIFICATE OF MAILING

I hereby certify that this correspondence along with any attachments referred to or identified as being attached or enclosed is being deposited with the United States Postal Service as First Class Mail on the date of deposit shown below with sufficient postage and in an envelope addressed to the Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

April 18, 2006
Date

Signature

Aubry Blackburn
Name (Type/Print)

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In compliance with the duty to disclose information material to patentability pursuant to 37 C.F.R. § 1.56, it is respectfully requested that this Supplemental Information Disclosure Statement be entered and the documents listed on attached Form PTO/SB/08 be considered by the Examiner and made of record. Copies of any cited foreign patents, publications, or pending unpublished U.S. applications are enclosed pursuant to 37 C.F.R. § 1.98(a)(2).

Copies of the references marked with a pound sign (#) are not provided since they were cited in the International Search Report, and as such, should have been provided by the WIPO under the exchange program between the USPTO and the JPO. The references are as follows:

Other Documents

#AYOUB et al., "QTLs affecting kernel size and shape in a two-rowed barley cross," Theor. Appl. Genet., 2002, pp. 237-247, Vol. 105.

DE LA PENA et al, "Quantitative trait loci associated with resistance to Fusarium head blight and kernel discoloration in barley," Theor. Appl. Genet., 1999, pp. 561-569, Vol. 99.

#FERNANDEZ et al., "The use of ISSR and RAPD markers for detecting DNA polymorphism, genotype identification and genetic diversity among barley cultivers with known origin," Theor. Appl. Genet., 2002, pp. 845-851, Vol. 42.

HE et al., "AFLP targeting of the 1-cM region conferring the vrs1 gene for six-rowed spike in barley, Hordeum vulgare L.," Genome, December 2004, pp. 1122-1129, Vol. 44, No. 6.

KOMATSUDA et al., "Comparative high resolution map of the six-rowed spike locus 1 (vrs1) in several populations of barley, Hordeum vulgare L.," Hereditas, 2004, pp. 68-73, Vol. 141.

#MANO et al., "Map construction of sequence-tagged sites (STSs) in barley (Hordeum vulgare L.)," Theor. Appl. Genet., 1999. pp. 937-946, Vol. 98.

#MESFIN et al., "Quantitative trait loci for Fusarium head blight resistence in barley detected in a two-rowed by six-rowed population," Crop. Sci., January-February 2003, p. 307-318, Vol. 43.

#SAITO et al., "Shin Kaihatsu no Seigen Koso Danpencho Tagata (RFLP) Marker o Fukumu Omugi RFLP Chizu," Seibutsu Shigen Kenkyu Seika Joho, 1999, pp. 61-62, No.8.

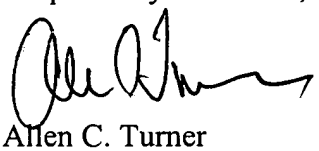
#TANNO et al., "A DNA marker closely linked to the vrsl locus (row-type gene) indicates mulitple origins of six-rowed cultivated barley (Hordeum vulgare L.)," Theor. Appl. Genet., 2002, pp. 54-60, Vol. 104.

#URREA et al., "Heritability of Fusarium head blight resistance and deoxynivalenol accumulation from barley accession C Iho 4196," Crop. Sci., 2002, pp. 1404-1408, Vol. 24

ZHU et al., "Does function follow form? Principal QTLs for Fusarium head blight (FHB) resistance are coincident with QTLs for inflorescence traits and plant height in a double-haploid population of barley," Theor. Appl. Genet., 1999, pp. 1221-1232, Vol. 99.

This Supplemental Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits.

Respectfully submitted,



Allen C. Turner
Registration No. 33,041
Attorney for Applicants
TRASKBRITT, P.C.
P.O. Box 2550
Salt Lake City, Utah 84110-2550
Telephone: 801-532-1922

Date: April 14, 2006
ACT/alb

Enclosures: Form PTO/SB/08
Copy of documents cited

Document in ProLaw

PTO/SB/08B(10-03)
Approved for use through 7/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 1

Complete if Known	
Application Number	10/553,723
Filing Date	February 23, 2006
First Named Inventor	Komatsuda et al.
Group Art Unit	To be assigned
Examiner Name	To be assigned
Attorney Docket Number	3240-7498US

NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No.[1]	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T[2]
		#AYOUB et al., "QTLs affecting kernel size and shape in a two-rowed barley cross," Theor. Appl. Genet., 2002, pp. 237-247, Vol. 105.	
		DE LA PENA et al, "Quantitative trait loci associated with resistance to Fusarium head blight and kernel discoloration in barley," Theor. Appl. Genet., 1999, pp. 561-569, Vol. 99.	
		#FERNANDEZ et al., "The use of ISSR and RAPD markers for detecting DNA polymorphism, genotype identification and genetic diversity among barley cultivers with known origin," Theor. Appl. Genet., 2002, pp. 845-851, Vol. 42.	
		HE et al., "AFLP targeting of the 1-cM region conferring the vrs1 gene for six-rowed spike in barley, Hordeum vulgare L.," Genome, December 2004, pp. 1122-1129, Vol. 44, No. 6.	
		KOMATSUDA et al., "Comparative high resolution map of the six-rowed spike locus 1 (vrs1) in several populations of barley, Hordeum vulgare L.,"Hereditas, 2004, pp. 68-73, Vol. 141.	
		#MANO et al., "Map construction of sequence-tagged sites (STSs) in barley (Hordeum vulgare L.)," Theor. Appl. Genet., 1999. pp. 937-946, Vol. 98.	
		#MESFIN et al., "Quantitative trait loci for Fusarium head blight resistence in barley detected in a two-rowed by six-rowed population," Crop. Sci., January-February 2003, p. 307-318, Vol. 43.	
		#SAITO et al., "Shin Kaihatsu no Seigen Koso Danpencho Tagata (RFLP) Marker o Fukumu Omugi RFLP Chizu," Seibutsu Shigen Kenkyu Seika Joho, 1999, pp. 61-62, No.8.	
		#TANNO et al., "A DNA marker closely linked to the vrsl locus (row-type gene) indicates mulitple origins of six-rowed cultivated barley (Hordeum vulgare L.)," Theor. Appl. Genet., 2002, pp. 54-60, Vol. 104.	
		#URREA et al., "Heritability of Fusarium head blight resistence and deoxynivalenol accumulation from barley accession C Iho 4196," Crop. Sci., 2002, pp. 1404-1408, Vol. 24	
		ZHU et al., "Does function follow form? Principal QTLs for Fusarium head blight (FHB) resistance are coincident with QTLs for inflorescence traits and plant height in a double-haploid population of barley," Theor. Appl. Genet., 1999, pp. 1221-1232, Vol. 99.	

Examiner Signature		Date Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

[1] Unique citation designation number (optional). [2] Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.